

TAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**



04-09-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #58

DNP Denmark A/S

Petitioner,

v.

Scan Vision Screen ApS

Registrant.

Cancellation No. _____

Reg. No. 2,041,296

PETITION FOR CANCELLATION

DNP Denmark A/S, a corporation of Denmark, with a place of business at Skruegangen 2, 2690 Karlslunde, Denmark ("Petitioner"), believes it will be damaged by Registration No. 2,041,296 for HOLOSCREEN, owned by Scan Vision Screen APS ("Registrant") and hereby petitions to cancel this registration.

As grounds for cancellation, it is alleged that:

1. Petitioner is a world leader in the development of optical rear projection technology and manufactures and sells a variety of innovative, high quality projection screens.

2. Petitioner is the owner of the trademark HOLOSCREEN which it has used in the United States in connection with projection screens since at least as early as March 31, 2000.

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3. Petitioner has filed applications in the U.S. Patent and Trademark Office to register HOLO SCREEN (No. 76/376,843) and DNP HOLO SCREEN (No. 76/380,487) for projection screens and parts and accessories therefor in Intl. Class 9; instructional materials in Intl. Class 16; and educational services in Intl. Class 41.

4. On February 27, 1997, Registration No.2,041,296 for HOLOSCREEN, which identifies "rear-projection screens", was granted to Kaiser Optical Systems, Inc. On August 20, 2001, the assignment of Registration No.2,041,296 for HOLOSCREEN to Scan Vision Screen ApS was recorded in the Patent and Trademark Office.

5. On information and belief, prior to Petitioner's first use of its HOLOSCREEN mark in United States commerce, Kaiser Optical Systems, Inc. discontinued use of HOLOSCREEN with the intent not to resume use, and, by its conduct, abandoned any and all claims of trademark rights in said mark.

6. Petitioner's use of its HOLO SCREEN mark in United States commerce pre-dates any use of HOLOSCREEN in the United States by Registrant.

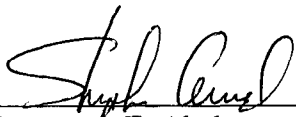
7. Continued registration of Registrant's mark will damage Petitioner in that it will likely deny Petitioner a federal registration for its mark and adversely affect Petitioner's ability to protect its mark against infringers.

8. By virtue of the facts set forth in the foregoing allegations, Petitioner has been damaged and will continue to be damaged within the meaning of 15 U.S.C. §1064.

WHEREFORE, Petitioner requests that Registration No. 2,041,296 be canceled.

Respectfully submitted,

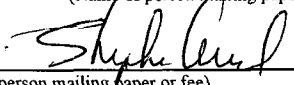
Date: April 9, 2002



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Attorneys for Petitioner

<p>EXPRESS MAIL number: <u>ET537518738US</u> Date of Deposit: April 9, 2002</p> <p>This paper (and/or fee) is being deposited with the United States Postal Service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202.</p> <p>STEPHEN J. QUIGLEY (Name of person mailing paper or fee)</p> <p> (Signature of person mailing paper or fee)</p>
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April 9, 2002



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Arlington, VA 22202-3513

Registrant: Scan Vision Screen ApS
Trademark: HOLOSCREEN
Reg. No.: 2,041,296
Our Ref.: 210074

Dear Sir:

Enclosed are:

1. A Petition for Cancellation of the above referenced registration.
2. A check in the amount of \$300 in payment of the filing fee.

Please acknowledge receipt of these documents by returning the enclosed postcard.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB

By: 

Stephen J. Quigley

Attorneys for Petitioner

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